

RESOLUTION NO. RS2012-158

A resolution calling for the resignation of Davidson County Clerk John Arriola.

WHEREAS, as a result of NewsChannel5 investigative reports in the summer of 2011, District Attorney Torry Johnson asked the Tennessee Bureau of Investigation to open an investigation of Davidson County Clerk John Arriola's office regarding the practices raised in the news reports; and

WHEREAS, the State of Tennessee Comptroller of the Treasury Division of County Audit, working with the Tennessee Bureau of Investigation, recently completed an audit of Mr. Arriola's office for the period September 1, 2006 through July 30, 2011 resulting in eleven findings and recommendations; and

WHEREAS, the most egregious practice noted in the audit involved a requirement that County Clerk's Office employees in the marriage department collect an additional \$40 cash fee for the performance of marriage ceremonies, which potentially netted Mr. Arriola an estimated \$119,000 in additional personal compensation over the five year period; and

WHEREAS, the audit also revealed a number of serious deficiencies in Mr. Arriola's operation of his office, including a lack of adequate financial controls, poor payroll administration, an improper shift of a disbursement from the General Fund budgetary accounts to the Clerk's fee and commission account, and a failure to report and disburse computer fees on a regular basis; and

WHEREAS, the audit further revealed that Mr. Arriola did not require documentation or verification of time worked for his campaign treasurer who was hired as a part-time outreach coordinator, gave full-time benefits to an employee working part-time hours who was classified as full-time and given full-time benefits, and that he awarded a consultant contract to a person who was renting a house from him without a bidding process in violation of the Metropolitan Government's procurement procedures; and

WHEREAS, Tennessee Code Annotated § 8-47-101, *et seq.*, provides a mechanism for the removal of elected officials who knowingly or willfully commit official misconduct; and

WHEREAS, it is in the best interest of the citizens and taxpayers of Nashville and Davidson County that John Arriola resign immediately to prevent the further expenditure of valuable state and local resources in bringing an ouster action against him.


NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Metropolitan County Council hereby goes on record as calling for the resignation of Davidson County Clerk John Arriola.

Section 2. That the Metropolitan Clerk is directed to send a copy of this Resolution to Davidson County Clerk John Arriola.

Section 3. That this Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Robert Duvall", written over a horizontal line.

Robert Duvall

Members of Council

ORIGINAL

METROPOLITAN COUNTY COUNCIL

Resolution No. RS2012-158

A RESOLUTION CALLING FOR THE
RESIGNATION OF DAVIDSON COUNTY CLERK
JOHN ARRIOLA.

2012 JAN 27 PM 12:30

FILED
METROPOLITAN
CLERK

Introduced & Deferred FEB 7 2012

Amended _____

Adopted FEB 21 2012

RETURNED UNSIGNED
Approved BY MAYOR: February 23, 2012

By _____
Metropolitan Mayor